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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Mody et al.

Application No.: 09/660,466

Filed: September 12, 2000

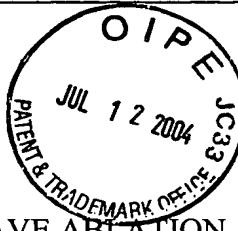
Title: SURGICAL MICROWAVE ABLATION  
ASSEMBLY

Attorney Docket No.: FMT1P029

Examiner: Roane, Aaron F.

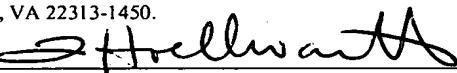
Group: 3739

Confirmation Number: 6579



**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first-class mail on July 8, 2004 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

Signed: 

Quin C. Hoellwarth

**INFORMATION DISCLOSURE STATEMENT  
BEFORE FINAL ACTION OR NOTICE OF ALLOWANCE  
(37 CFR §§ 1.56 AND 1.97(c))**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The references listed in the attached PTO Form 1449, a copy of which is attached, may be material to examination of the above-identified patent application. Applicants submit this reference in compliance with their duty of disclosure pursuant to 37 CFR §§1.56 and 1.97. The Examiner is requested to make this citation of official record in this application.

This Information Disclosure Statement is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that this reference indeed constitutes prior art.

This Information Disclosure Statement is being filed after the mailing date of the first Office Action on the merits, or after three months of the filing date of this application, whichever event occurred last, but it is believed before the mailing date of either: (i) a final action under §1.113 or (ii) a notice of allowance under §1.311, whichever occurs first.

Accompanying this Information Disclosure Statement is

- a statement as specified in 37 CFR 1.97(e); or
- the fee set forth in 37 CFR 1.17(p).

The undersigned hereby states:

- that each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application no more than three months prior to the filing of the Information Disclosure Statement; or
- that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

The Commissioner is hereby authorized to charge \$180.00 in payment of the Information Disclosure Statement Fee any any additional fees required to facilitate this response to Deposit Account 500388 (Order No. FMT1P029).

Respectfully submitted,  
BEYER WEAVER & THOMAS, LLP



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<b>Form 1449 (Modified)</b> <b>Information Disclosure Statement By Applicant</b> (Use Several Sheets if Necessary)		Atty Docket No. FMT1P029 Applicant: Mody <i>et al.</i> Filing Date September 12, 2000	Application No.: 09/660,466 Group 3739
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#### U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	A	5,741,225	04/21/98	Lax <i>et al.</i>	604	22	01/23/96
	B	6,102,886	08/15/00	Lundquist <i>et al.</i>	604	22	05/27/98

#### Foreign Patent or Published Foreign Patent Application

Examiner Initial	No.	Document No.	Publication Date	Country or Patent Office	Class	Sub-class	Translation	
							Yes	No
	C	WO 93/20768	10/28/93	PCT	A61B	17/36	N/A	

#### Other Documents

Examiner Initial	No.	Author, Title, Date, Place (e.g. Journal) of Publication
	D	European Search Report from Corresponding EP Application 01307788.8, mailed November 28, 2003.
Examiner		Date Considered

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.